

## THIRTY-THIRD DAY

(Thursday, March 12, 1959)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Willis
Krueger	Wood
Lane	

Absent—Excused

Hazlewood      Weinert

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

"Our Father, as the hart panteth after the water brooks, so make our souls pant after Thee, O God. Without Thee we can not live, without Thee we dare not die. Satisfy us early with Thy tender mercy; that we may rejoice all our days. For Christ's sake. Amen."

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

## Leaves of Absence

Senator Weinert was granted leave of absence for today on account of important business on motion of Senator Lane.

Senator Hazlewood was granted leave of absence for today on account of important business on motion of Senator Secrest.

## Reports of Standing Committees

Senator Lane submitted the following reports:

Austin, Texas,  
March 12, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Jurisprudence, to whom was referred S. B. No. 115, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,  
March 12, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Jurisprudence, to whom was referred H. C. R. No. 24, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,  
March 12, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Jurisprudence, to whom was referred H. B. No. 429, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,  
March 12, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Jurisprudence, to whom was referred S. B. No. 314, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,  
March 12, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Jurisprudence, to whom was referred S. B. No. 148, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

LANE, Chairman.

Senator Hardeman submitted the following reports:

Austin, Texas,  
March 12, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 312, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,  
March 12, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 6, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

HARDEMAN, Chairman.

#### Senate Bills and Resolution on First Reading

The following bills and resolution were introduced, read first time and referred to the committee indicated:

By Senator Krueger:

S. B. No. 340, A bill to be entitled "An Act providing for the continuity of the executive and judicial functions of the governments of political subdivisions of the State in the event of attack upon the United States; providing for additional officers to act as Governor; providing for emergency interim successors for other executive officers of the State and political subdivisions of the State; providing for special emergency judges; providing the period in which authority may be exercised; making other provisions relating thereto; and declaring an emergency."

To the Committee on State Affairs.

By Senator Krueger:

S. B. No. 341, A bill to be entitled "An Act authorizing political subdivisions of the State to establish emergency temporary locations for their seats of government; to exercise governmental powers and functions thereat; making other provisions relating thereto; and declaring an emergency."

To the Committee on State Affairs.

By Senator Krueger:

S. B. No. 342, A bill to be entitled "An Act authorizing the Governor and the Legislature to establish emergency temporary locations for the seat of government of the State; authorizing the exercise of governmental powers and functions thereat; relating the provisions of this Act to Section 8 of Article IV of the Texas Constitution; making other provisions relating thereto; and declaring an emergency."

To the Committee on State Affairs.

By Senator Krueger:

S. B. No. 343, A bill to be entitled "An Act providing for the continuity of the Legislature of the State in the event of attack upon the United States; providing for emergency interim successors for Legislators; providing for the convening and place of legislative sessions; providing for the assumption of powers and duties by emergency interim successors; providing for the termination of authority of emergency interim successors; providing for privileges, immunities and compensation of emergency interim successors; making other provisions relating thereto; and declaring an emergency."

To the Committee on State Affairs.

By Senator Parkhouse:

S. B. No. 344, A bill to be entitled "An Act amending Article 7122 of the Revised Civil Statutes of Texas of 1925, as last amended; broadening and specifically setting out exemptions from the inheritance tax on certain foreign bequests; providing for application to persons dying before the effective date under given conditions; repealing all laws in conflict; and declaring an emergency."

To the Committee on State Affairs.

By Senator Parkhouse:

S. B. No. 345, A bill to be entitled "An Act amending Section 1 of Chap. 493, page 1425, Acts of the 55th Legislature, Regular Session, 1957, (Art. 21.47 Vernon's Annotated Texas Statutes, Insurance Code, as amended) by requiring every report, statement, certificate, affidavit or other document required by or under any provision of the Insurance Code or Rules and Regulations of the State Board of Insurance to be acknowledged, sworn to, or made under oath, and to be filed or deposited with the State

Board of Insurance or the Commissioner of Insurance, to be verified by written declaration under penalties of perjury; prescribing the form of verification; and amending Sec. 2, of Chap. 493, p. 1425, Acts of the 55th Legislature, Regular Session, 1957 (Art. 21.48, Vernon's Annotated Texas Statutes, Insurance Code, as amended) by providing penalties as against any person who willfully makes such verification as to matters which are not true in every material matter, or who willfully aids or assists in, or procures or counsels, or advises the preparation thereof as to matters which are fraudulent, false or incorrect in any material way, or who simulates or falsely or fraudulently executes or signs any such report, statement, certificate, affidavit or other document required by or under any provision of the Insurance Code or Rules and Regulations of the State Board of Insurance to be acknowledged, sworn to or made under oath, or who aids in, or connives in the execution thereof; declaring that a violation thereof shall be a felony, and upon conviction therefor, punished by fine and imprisoned in the penitentiary; providing a saving clause; and declaring an emergency.

To the Committee on Insurance.

By Senator Parkhouse:

S. B. No. 346, A bill to be entitled "An Act amending Art. 3.16 of Chap. 3 of the Insurance Code (Acts of the 1951, 52nd Legislature, Chap. 491, as amended by the Acts of the 1957, 55th Legislature, Chap. 344, Sec. 2) relating to deposits of securities or lawful money of the United States or conveyance of real estate in trust in an amount equal to the legal reserve of all of the outstanding policies in force of any life insurance company; amending Article 3.17 of Chap. 3 of the Insurance Code (Acts of the 1951, 52nd Legislature, Chap. 491) relating to what deposits made under Article 3.16 of Chapter 3 of the Insurance Code may include; amending Article 3.18 of Chapter 3 of the Insurance Code (Acts of the 1951, 52nd Legislature, Chap. 491), relating to the effect and value of deposits and amount of legal reserve; repealing Article 3.19 of Chapter 3 of the Insurance Code (Acts of the 1951, 52nd Legislature, Chapter 491) relating to fees for making deposits; repealing conflicting laws and parts of

laws to the extent of such conflict; containing a savings clause; and declaring an emergency."

To the Committee on Insurance.

By Senator Herring:

S. B. No. 347, A bill to be entitled "An Act amending Section 3, Chapter 344, Acts of the 49th Legislature, 1945, to eliminate the need for the approval of the Board of Control of appointments to the Aeronautics Commission; and declaring an emergency.

To the Committee on State Affairs.

By Senator Herring:

S. B. No. 348, A bill to be entitled "An Act transferring the authority of the Cigarette Tax Stamp Board to the Comptroller; amending Section 3, Chapter 241, Acts of the 44th Legislature, 1935, as amended; amending Section 3A, Chapter 241, Acts of the 44th Legislature, 1935; and repealing Section 1, Chapter 67, Acts of the 45th Legislature, 2d C. S., 1937; and declaring an emergency."

To the Committee on State Affairs.

By Senator Herring:

S. B. No. 349, A bill to be entitled "An Act defining certain terms as used herein; providing that any county, municipality, taxing district or other political district or subdivision, commission, authority, department or other public agency of the State authorized to borrow money and issue bonds, notes or other evidences of indebtedness may institute suit for declaratory judgment in the district courts herein specified, to adjudicate and determine the legality of the boundaries or organization of the issuer; or of proceedings taken or proposed to be taken in connection with the issuance or sale of all such securities and evidences of indebtedness and adjudication as to validity of the same; defining the parties to said suits, and providing for service on such parties; authorizing the entry of decrees and judgments in such causes by the district courts; providing for and limiting appeal therefrom; providing for payment of costs in such proceedings; providing for staying the institution of subsequent inconsistent proceedings, and for consolidation of other actions or proceedings involving questions authorized to be determined in the action herein

authorized to be maintained; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Fuller:

S. B. No. 350, A bill to be entitled "An Act amending Article 8274, Revised Civil Statutes of Texas, as amended, so as to change the maximum rate of pilotage which may be charged under Articles 2867 and 2869, Revised Civil Statutes, for certain ports of this State and so as to include the Port of Galveston, heretofore excepted from the statute; to add a provision making the consignee of a vessel responsible for payment of pilotage charges; providing for severability; and declaring an emergency."

To the Committee on Water and Conservation.

By Senator Lane:

S. B. No. 351, A bill to be entitled "An Act authorizing the remaining balance of the sum of Fifty Thousand (\$50,000.00) Dollars heretofore appropriated to the Governor's Office in item 26 of the appropriation to the Governor's Office in H. B. No. 133, Acts of the 55th Legislature, Regular Session, 1957, Chapter 385, and transferred to the Attorney General's appropriation by the provisions of S. B. 2, Acts of the 55th Legislature, Second Called Session, 1957, Chapter 8 to be expended for the purposes stated in items 25, 26 and 27 of the appropriation to the Attorney General's Office in H. B. No. 133, Acts of the 55th Legislature, Regular Session, 1957, Chapter 385 in addition to the purposes stated in S. B. 2, Acts of the 55th Legislature, Second Called Session, 1957, Chapter 8; and declaring an emergency."

To the Committee on Finance.

By Senator Smith:

S. B. No. 352, A bill to be entitled "An Act amending Sections 17, 18, and 19, of Chapter 290, Acts of the 41st Legislature, as amended by the 44th Legislature, 1935, so as to provide for the creation of Union Junior College Districts where there are two or more contiguous independent school districts, or two or more contiguous common school districts, or a combination of one or more independent school districts, with one or more

common school districts of contiguous territory, having a combined taxable wealth of not less than \$9,500,000 and having a scholastic population of not less than 7,000 the next preceding school year, and not less than 400 students in the last four years in the classified high schools; and further providing for the filing of a petition for the ordering of an election to determine the establishment of such Union Junior College District."

To the Committee on Education.

By Senator Smith:

S. B. No. 353, A bill to be entitled "An Act authorizing the Board of Directors of Texas Technological College, in consideration of the payment to it of the appraised value, to convey to the Texas Tech Inter-Fraternity Housing Corporation, certain land in the City of Lubbock, Lubbock County, Texas, for the purpose of constructing thereon Fraternity and Sorority Lodges; prescribing procedures and conditions for the sale of this property; making an appropriation; and declaring an emergency."

To the Committee on State Affairs.

By Senator Moore:

S. B. No. 354, A bill to be entitled "An Act relating to professional sanitarians; providing for the establishment of a State Board of Registration for Professional Sanitarians, and prescribing its powers, duties and functions; dealing with qualifications, appointment, removal, compensation and expenses of members thereof; providing for registration of professional sanitarians and sanitarians in training, and for issuance, renewal, revocation, and reinstatement of certificates of registration, and fixing fees therefor; providing for expenditure of funds collected under provisions of the Act and fixing purposes for which such funds may be used; prohibiting use of the title or designation of "sanitarian" in any public or private employment in this State unless the person employed is registered hereunder and providing a penalty for violation; providing for severability; and declaring an emergency."

To the Committee on Public Health.

By Senator Moore:

S. B. No. 355, A bill to be entitled "An Act amending Section 2, Chapter 368, Acts 1957, 55th Legislature, Regular Session, creating Bi-Stone

Municipal Water Supply District, so as to make certain the boundaries of said district and validating said district and the proceedings heretofore had in connection with its organization; enacting other matters relating to the subject and declaring an emergency."

To the Committee on Water and Conservation.

By Senator Moore:

S. B. No. 356, A bill to be entitled "An Act relating to the control of cigarette vending machines for tax purposes; amending Section 4, Chapter 241, Acts of the 44th Legislature, 1935, as amended; and declaring an emergency."

To the Committee on State Affairs.

By Senators Bradshaw and Her-ring:

S. B. No. 357, A bill to be entitled "An Act amending Article 1.04 (f) of the Insurance Code of the State of Texas, as amended by Acts 1957, 55th Legislature, Regular Session, Chapter 499, page 1454, et seq., the same being sometimes referred to as Senate Bill 222, and amending Section 18 of Article 21.14; and declaring an emergency."

To the Committee on Insurance.

By Senators Bradshaw and Roberts:

S. B. No. 358, A bill to be entitled "An Act to create the Clear Creek Watershed Authority as a conservation and reclamation district in Montague, Wise, Cooke and Denton Counties under the provision of Article XVI, Section 59 of the Constitution of Texas; prescribing the duties, powers, functions, and procedures for the district and subordinate districts, including the right to participate in the organization of subordinate districts to carry out the functions of the master district under certain circumstances and conditions; providing for the incurring of obligations and the methods for the selection of manner for paying such obligations of the master and subordinate districts; providing for a governing body and prescribing their duties; adopting certain provisions of the general law; enacting other provisions required for the functioning of the master and subordinate districts; providing a sever-

ance clause; and declaring an emergency."

To the Committee on Water and Conservation.

By Senator Bradshaw:

S. B. No. 359, A bill to be entitled "An Act to amend Subdivision 1 and Subdivision 2 of Art. 3.39 of Chap. 3 of the Ins. Code (Acts of 1951, 52nd Leg., Chap. 491, as amended by the Acts of 1955, 54th Leg., page 916, Chap. 363, Sec. 12) to regulate the investment of the funds of life ins. cos.; to amend said Art. 3.39 of Chap. 3 of the Ins. Code by adding thereto a new subdivision designated as subdivision 10 of said Art. 3.39 to authorize additional investments for the funds of life ins. cos.; and to amend Art. 3.40 of Chap. 3 of the Ins. Code (Acts of 1951, 52nd Leg., Chap. 491, as amended by the Acts of 1955, 54th Leg., Page 916, Chap. 363, Sec. 13) by amending the provisions of said Art. 3.40 relating to the disposition of real estate and by adding to said Article provisions permitting life ins. cos. to secure, hold and convey, in addition to real property now authorized by law, branch office bldgs. and parking facilities as shall be requisite for its accommodation in the transaction of its business and for lease and rental subject to certain restrictions, limitations and exceptions; repealing conflicting laws and parts of laws to the extent of such conflict; providing for a severability clause and declaring an emergency."

To the Committee on Insurance.

By Senator Secrest:

S. B. No. 360, A bill to be entitled "An Act amending Article 21.46, Chapter 21, of the Insurance Code, Acts 1957, Fifty-fifth Legislature, Chapter 396; providing for a savings clause; and declaring an emergency."

To the Committee on Insurance.

By Senators Owen, Baker and Hardeman:

S. B. No. 361, A bill to be entitled "An Act to amend Section 5 of Chapter 269 of the Acts of the Fifty-fifth Legislature by adding a new subsection Q to exempt from the regulation of the Securities Act private transactions of interests in oil, gas, and mineral leases, fees, titles, contracts, pooling and unitization agreements;

providing severability; and declaring an emergency."

To the Committee on Oil and Gas.

By Senator Baker:

S. B. No. 362, A bill to be entitled "An Act amending Article 973, Revised Civil Statutes of Texas, 1925, as amended by Acts 1953, 53rd Legislature, Page 887, Chapter 366, by providing for discontinuing sparsely settled territory as a part of an incorporated city or town or as a part of a city or town operating under the general Home Rule law or under a special charter; repealing conflicting law; and declaring an emergency."

To the Committee on State Affairs.

By Senator Wood:

S. B. No. 363, A bill to be entitled "An Act authorizing the deposit to local funds of the Texas Agricultural Experiment Station to the credit of Substation No. 2, Smith County, to be expended for the restoration, operation and improvement of said Substation No. 2, the monetary consideration received by the Board of Directors of the Agricultural and Mechanical College of Texas for the transfer to the State Highway Commission, the use of, and jurisdiction over, 39.09 acres of land, transferred pursuant to authority of Chapter 300, Acts 55th Legislature, Regular Session, 1957."

To the Committee on Finance.

By Senator Wood:

S. B. No. 364, A bill to be entitled "An Act providing that it shall be unlawful to set on fire, or cause to be set on fire, or to use fire or smoke in any manner in, on, or around, any den or hollow tree within any woods or forest, or upon any cutover land, brushland, rangeland, or grasslands for the purpose of driving or smoking out game animals or birds from such den or hollow tree; declaring violation of this Act to be a misdemeanor punishable by a fine, and prescribing a penalty for the violation thereof; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Wood:

S. B. No. 365, A bill to be entitled "An Act amending Article III and Section 4 of Article IX of Chapter 19, Acts of the 54th Legislature, 1955, so as to declare to be ex-officio

the duties of the legislative members and the Board of Directors of the Texas Agricultural and Mechanical College System member in serving on the advisory committee therein mentioned, as well as to declare that their serving as committee members shall not be construed as holding an office or position of honor, trust or profit under this State or a civil office of emolument; establishing termination of members' services on said committee and providing for reimbursement from funds appropriated to the Texas Forest Service of the members' actual expenses incurred in their attending official meetings of said committee; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Wood:

S. B. No. 366, A bill to be entitled "An Act amending Article 7252 of the Revised Civil Statutes of the State of Texas, 1925, as amended, relating to the deputies of Assessors and Collectors of Taxes; providing for a savings clause; repealing acts in conflict herewith; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Willis:

S. B. No. 367, A bill to be entitled "An Act amending Article 519 of the Penal Code of Texas, 1925, defining the offense of pandering and providing a penalty therefor; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Rogers:

S. B. No. 368, A bill to be entitled "An Act amending Article 6370 of the Revised Civil Statutes of Texas, 1925, so as to require railroads to construct and maintain visible and audible warning signals at every state and United States highway grade crossing; making the railroads liable for injuries resulting from the failure to erect and maintain such signals; and declaring an emergency."

To the Committee on Transportation.

By Senator Martin:

S. B. No. 369, A bill to be entitled "An Act to provide for the orderly development and inspection of buildings constructed by the State; defining the powers and duties of the State Planning Board and the several State Agencies in connection there-

with; providing for the condemnation of any state building, structure, or equipment found to be unsafe or hazardous; providing certain exceptions; providing for severability, and declaring an emergency."

To the Committee on State Affairs.

By Senator Gonzalez:

S. B. No. 370, A bill to be entitled "An Act to amend subsection (h) of Section 1 of Chapter 196, Acts of the 43rd Legislature, 1933, Regular Session, which subsection (h) was added by Section 1 of Chapter 544, Acts of the 47th Legislature, 1941, Regular Session, and was last amended by Section 1 of Chapter 435, Acts of the 55th Legislature, 1957, Regular Session (Codified by Vernon as subsection (h) of Article 2654c, Texas Civil Statutes), to authorize certain former military personnel who meet further specified requirements following their discharge from such service, their husband or wife and children, to be classified as "resident students" with respect to the rates of tuition or registration fees to be charged by the institutions of higher education supported in whole or in part by the public funds appropriated from the State Treasury; providing a severability clause; and declaring an emergency."

To the Committee on Education.

By Senator Hardeman:

S. B. No. 371, A bill to be entitled "An Act providing for the appointment of the personnel to serve as Texas State Property Guards by the State Board of Control; providing for the duties and powers of the Texas State Property Guards; providing for the issuance of commissions as law enforcement officers to personnel designated as Texas State Property Guards; defining their powers; providing that monies appropriated to the State Board of Control by the provisions of House Bill 133, Acts 55th Legislature, Regular Session, 1957, Chapter 385, may be expended for the purpose of paying salaries, payment of bond premiums and other expenses necessary to carry out the provisions of this Act; and declaring an emergency."

To the Committee on State Affairs.

By Senators Hardeman, Owen, Aikin, Fly, Dies and Reagan:

S. B. No. 372, A bill to be entitled

"An Act requiring the teaching of Texas History in all senior high schools supported by public funds within this State and in all senior colleges and universities supported or maintained by the State of Texas; providing that after July 1, 1960, no person shall be graduated from any such senior high school except that he or she has taken and received normal credit for a full year course in Texas History at the senior high school level; providing that after July 1, 1960, no person shall be granted a bachelor's degree of any kind from any institution of higher learning supported or maintained by the State of Texas except that he or she has taken and passed six semester hours in Texas History at the college level; providing that the provisions of this Act are in addition both to existing laws requiring the teaching of state and federal Constitutions in state supported colleges and universities and to existing laws requiring the teaching of American History in such institutions; repealing all laws or parts of laws in conflict herewith to the extent of such conflict; and declaring an emergency."

To the Committee on State Affairs.

By Senator Hardeman:

S. B. No. 373, A bill to be entitled "An Act amending Article 36, of Vernon's Code of Criminal Procedure to include in the category of peace officers Texas State Property Guards; and declaring an emergency."

To the Committee on State Affairs.

By Senator Hazlewood:

S. B. No. 374, A bill to be entitled "An Act amending Article IV, House Bill 20, Acts of the 47th Legislature; 1941, Chapter 173, Page 245 (being Article IV, Section 22 of Article 6687b, Vernon's Annotated Civil Statutes of Texas, 1925, as amended) by adding a new subsection (c) under subsection (b) thereof, and providing for trials de novo in the County Court where the suspension of license occurs under certain provisions thereof; prohibiting the suspension of a license pending appeal and providing for setting aside any order of suspension; repealing laws of the conflict; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Smith:

S. B. No. 375, A bill to be entitled "An Act repealing sub-sections 3

through 19 of Section 1 of Senate Bill No. 269, Acts 1945, 49th Legislature, page 629, Chapter 358, as amended by Senate Bill No. 256, Acts 1949, 51st Legislature, page 411, Chapter 220, as further amended, by Senate Bill No. 143, Acts 1951, 52nd Legislature, page 612, Chapter 363, also known as Articles 6053 and 6052a of the Revised Civil Statutes of Texas; with savings clause as to pending proceedings or actions; establishing a comprehensive code regulating the liquefied petroleum gas industry; authorizing and directing the Railroad Commission of Texas to promulgate adequate rules, regulations and/or standards pertaining to said industry for the health, welfare and safety of the general public and authorizing it to adopt all or part of the codes of nationally recognized associations or societies in connection therewith; providing for the establishment of a Liquefied Petroleum Gas Division as a separate and distinct Division of the Railroad Commission of Texas for the administration and enforcement of this Act; directing the Railroad Commission of Texas to appoint a full time Director of such Division and providing for sufficient employees; and requiring certain safeguards for motor vehicles with LPG facilities; requiring and assessing fees for licenses and permits for persons, activities and objects covered by this Act; establishing categories of and assessing fees for LPG dealers and requiring certain graduated minimum bulk storage facilities for retail dealers subsequent to September 1, 1960; providing for publication of notice and quarterly public hearings on applications for licenses as a LPG dealer; prohibiting LPG dealers from hiring service, and/or installation men or delivery or transport truck drivers unless such person shall have passed an examination of his competency therefor with a temporary exemption for trainee employees for a 45-day period, requiring the registration of delivery and transport trucks or other motor vehicles and establishing an annual fee therefor; providing for the proration of fees over a certain amount; establishing a special LPG fund to be used solely for the administration and enforcement of this Act; authorizing the Director to suspend or revoke any license, permit or registration for violation of or failure to comply with this Act; provid-

ing for notice by registered or certified mail to parties charged with a written complaint and requiring a public hearing thereon within 10 days and empowering the Director to conduct investigations, summon witnesses, to require production of books, documents and records, providing for the taking of depositions and the use of interrogatories and admissions; granting such party the right to be heard at such hearing; requiring written findings and judgment by the Director after such hearing and requiring permanent public records to be kept thereof; authorizing the Director to suspend for 90 days or revoke the license, registration and/or permit of a party found guilty of such complaint; providing for an action for reinstatement thereof in a proper district court by way of a trial de novo and the stay of enforcement of such a judgment if timely appealed until final disposition thereof by such district court; prescribing the same procedure for the appeal of an order, denying a license, registration, and/or permit; authorizing the Director to enjoin violations or failures to comply with this Act; requiring a surety bond and public liability, property damage and workmen's compensation and/or employer's liability insurance coverage for LPG dealers; prescribing penalties for the violation of this Act; providing for entry at reasonable times by authorized persons onto public or private premises for the inspection of LPG containers, tanks, apparatus systems and equipment and authorizing such person to declare same unsafe if not in compliance with this Act and to attach a warning tag to this effect thereon; constituting it a misdemeanor to remove such tags or to knowingly sell, furnish, deliver or supply LPG to any such container, tank, apparatus system or equipment so tagged; defining certain terms; providing for the severability of any section of this Act found to be void or unconstitutional; repealing all or part of laws in conflict with this Act and declaring an emergency."

To the Committee on Oil and Gas.

By Senator Baker:

S. B. No. 376, A bill to be entitled "An Act amending Section 8 of Chapter 427, Acts of the 54th Legislature, Regular Session, 1955, so as to fix the



minimum and maximum salaries of certain officials in all counties of the State having a population of 600,000 or more inhabitants according to the last preceding Federal Census; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Weinert:

S. B. No. 377, A bill to be entitled "An Act to amend Subdivision 2 of Article 3.39 of Chapter 3 of the Insurance Code (Acts of 1951, 52nd Legislature, Chapter 491, as amended by the Acts of 1955, 54th Legislature, Page 916, Chapter 363, Section 12) to regulate the investments of the funds of life insurance companies; to amend Article 3.34 of Chapter 3 of the Insurance Code (Acts of 1951, 52nd Legislature, Chapter 491, as amended by the Acts of 1953, 53rd Legislature, Chapter 115, Section 1) so as to redefine the term "Texas Securities" to include promissory notes and other obligations, the payment of which is secured by a mortgage, deed of trust, or other valid lien upon unencumbered real estate situated in this State, the title to which real estate is valid and the market value of which is at least 1/3 more than the amount loaned thereon; repealing conflicting laws and parts of laws to the extent of such conflict; providing for a severability clause; and declaring an emergency."

To the Committee on Insurance.

By Senator Rogers:

S. B. No. 378, A bill to be entitled "An Act amending portions of the Veterinary Licensing Act (Chapter 342, Acts of the 53rd Legislature, 1953, codified as Article 7465a of Vernon's Texas Civil Statutes); amending Section 8 to redefine the authority of the State Board of Veterinary Medical Examiners to adopt rules of professional conduct for the profession of veterinary medicine, and the procedure therefor; amending Section 14 to provide additional grounds for revocation or suspension of licenses and for refusal to examine applicants or to issue or renew licenses; amending Subsection b of Section 16, as amended, to permit either party to demand a jury in appeals from Board orders suspending, revoking or refusing to renew licenses; and declaring an emergency."

To the Committee on Agriculture and Livestock.

By Senator Bradshaw:

S. B. No. 379, A bill to be entitled "An Act to amend Article 21.26, Chapter 21, of the Insurance Code (Acts of 1951, 52nd Legislature, Chapter 491) providing for consolidation of any two or more insurance companies; by adding to said article a new section to be designated Sec. 6, providing that valid investments made by the absorbed corporations, consolidated or merged under the provisions of Article 21.26 of the Insurance Code shall be valid investments of the new or reorganized corporation; repealing all conflicting laws or parts of laws to the extent of such conflict; and declaring an emergency."

To the Committee on Insurance.

By Senator Moffett:

S. B. No. 380, A bill to be entitled "An Act relating to Livestock Auction Markets; defining terms; making it unlawful to operate a livestock auction market without first complying with this act; providing exceptions; vesting authority in the Commissioner of Agriculture for the administration of the act; providing for application for a certificate of convenience and necessity; fixing application fees and annual license fees; providing for the lapsing of certificates; providing for hearings; requiring a showing of financial responsibility and convenience and necessity; fixing the method of appeal and providing for a trial de novo; providing for the issuance of a license and certificate to existing markets; fixing the method of transfer of certificates and the moving of markets; requiring a bond; requiring the keeping of records; providing for the filing and hearing of complaints; providing for the revocation of certificates; fixing a penalty; providing for an injunction; creating a special fund; making an appropriation; repealing all laws in conflict; providing for severability; fixing an effective date; and declaring an emergency."

To the Committee on Agriculture and Livestock.

By Senator Hudson:

S. B. No. 381, A bill to be entitled "An Act amending Section 1 of Chapter 262, Acts of the 55th Legislature, Regular Session, 1957 (Article 2745c, Vernon's Texas Civil Statutes), to add provisions relating to applications of candidates for county school trus-

tee or trustee of a school district and preparation of the official ballot for the election; repealing conflicting laws to the extent of conflict; and declaring an emergency."

To the Committee on Privileges and Elections.

By Senator Parkhouse:

S. B. No. 382, A bill to be entitled "An Act relating to electricians and the regulation of electricians and electrical work: defining terms; classifying electricians; providing for the licensing of electricians; defining and providing for electrical inspectors; creating a State Board of Electrical Examiners; providing certain acts permitted without license; fixing the number of members on the State Board of Electrical Examiners; providing the qualifications for membership on said board; providing for the appointment of said board, their terms of office, and methods of filling vacancies on said board; providing for the election of officers and delegating to the board the power to make rules and regulations; providing for compensation of the board members and the payment of their expenses; providing that the board may issue licenses to persons of good moral character who have shown themselves fit after examination; providing for the revocation of any license issued by the Board and prescribing the procedure therefor; providing for the issuance of licenses without examination to journeyman electricians and master electricians now holding licenses from any city examining and supervising electrical board; providing for the validity throughout the State of Texas of all licenses issued by the Board; providing the procedure for licensing by apprenticeship; providing for maximum license fees and renewal and revival fees and examination fees for master electricians, journeyman electricians and electrical inspectors; prohibiting the doing of electrical work or acting as an electrician or electrical inspector without a license issued under this Act; prescribing penalties for the violation of this Act; requiring municipal regulation of electrical work in cities of more than five thousand (5,000) inhabitants and permitting municipal regulation of electrical work in cities of less than five thousand (5,000) inhabitants, and making certain exceptions; requiring that no municipal

regulation dealing with electrical work shall be inconsistent with this Act or any rule or regulation prescribed by the board; repealing all laws or parts of laws in conflict with the provisions of this Act; providing that if any section or part of this Act shall be held unconstitutional or invalid such invalidity shall not affect the remaining portions of this Act; and declaring an emergency."

To the Committee on State Affairs.

By Senator Wood:

S. B. No. 383, A bill to be entitled "An Act establishing and providing for a State mentally retarded school; regulating and providing for the operation of same; and declaring an emergency."

To the Committee on State Affairs.

By Senator Willis:

S. J. R. No. 13, Proposing an amendment to Section 51-b, Article III of the Constitution of the State of Texas so as to increase the amount authorized to be paid out of State funds for assistance payments to permanently and totally disabled persons to Two Million, Five Hundred Thousand Dollars (\$2,500,000) per year; and providing for the necessary proclamation, publication and election.

To the Committee on Constitutional Amendments.

#### Senate Concurrent Resolution 31

Senator Herring offered the following resolution:

S. C. R. No. 31, Directing Governor to execute lease of certain land to City of Austin.

Whereas, The Secretary of the Army by virtue of Public Law 49, First Session, 84th Congress, conveyed by Quitclaim Deed, to the State of Texas, approximately 189.11 acres of land out of the original 200 acres known as Camp Mabry Militia Rifle Range tract, and described by metes and bounds in such Public Law 49; and,

Whereas, Heavy residential development on all sides of said tract of land makes its use as a rifle range extremely hazardous due to the danger of misdirected or ricocheting bullets falling into such residential districts; and,

Whereas, The location, terrain, and size of this tract make it most ideally

suitied for use as a municipal golf course; and,

Whereas, The City of Austin has agreed to bear the expense of developing such tract of land as a municipal golf course; now, therefore, be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, that the Governor of the State of Texas be and he is hereby directed to execute a lease to the City of Austin of such tract of land for use as a municipal golf course when the aforementioned Public Law No. 49, First Session, 84th Congress shall have been amended so that by its terms the execution of such lease to the City of Austin will not cause title to such tract to revert to the United States Government.

Such lease shall be for a term of seventy-five years; be in consideration of and conditioned upon the City of Austin bearing the expense of developing such tract as a municipal golf course; and shall contain provisions to perpetuate the interest of the Federal Government in such tract retained by said Public Law No. 49, Section 2, 3, and 5 as the same exist at the time of the execution of such lease.

The resolution was read and was referred to the Committee on Jurisprudence.

#### Senate Resolution 189

Senator Moore offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate Hon. Jack B. Miller of San Saba; and

Whereas, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; now, therefore, be it

Resolved, That his presence be recognized by the Senate of Texas and that he be extended the official welcome of the Senate and be granted the privileges of the floor.

The resolution was read and was adopted.

#### Senate Resolution 190

Senator Moffett offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Mr. M. J. Weaver, Member of the City Council of Olney, Texas, and Mr. Luren

Campbell, City Secretary of Olney, Texas; and

Whereas, We desire to welcome these distinguished guests to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended an official welcome.

The resolution was read and was adopted.

#### Message from the House

Hall of the House of Representatives  
Austin, Texas,  
March 12, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 9, An Act to create and define the offense of shoplifting; to provide punishments for the offense; giving to all persons the right to prevent the consequences of shoplifting, describing legal actions which may be taken by them in connection with supposed offense; and declaring an emergency."

With amendment.

S. B. No. 33, An Act authorizing the Board of Regents of the University of Texas to exchange lands in Dallas County, Texas, and execute deeds with Southwestern Medical Foundation; and declaring an emergency.

S. B. No. 36, An Act to amend chapter 35, Acts of the Regular Session of the 55th Legislature (Vernon's Annotated Civil Statutes, Article 1109-h) in reference to the construction and financing of water supply projects under contracts between eligible cities and river authorities and the financing by such cities of intakes, pumping stations and equipment, pipelines, treatment and filtration plants and intermediate and terminal reservoirs; and declaring an emergency."

S. B. No. 137, An Act validating the incorporation of all cities and towns of five thousand (5,000) inhabitants or less, heretofore incorporated or attempted to be incorporated under the General Laws of Texas; validating the boundary lines thereof; validating governmental proceedings,

providing that this Act shall not apply to any city or town now involved in litigation questioning the legality of the incorporation; and declaring an emergency.

S. B. No. 159, A bill to be entitled "An Act conferring upon the Game and Fish Commission regulatory authority over wildlife resources in Grimes County; amending Section 1 of Chapter 125, Acts of the Fifty-second Legislature, 1951, as amended so as to make that act applicable to Grimes County; repealing certain laws and fixing the effective date of the repeal; providing for severability; and declaring an emergency."

With amendment.

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

#### Senate Resolution 191

Senator Hudson offered the following resolution:

Whereas, We are aware of the enormous sums of money required for this year's Federal Budget; and

Whereas, We have become acutely aware of the problems involved in financing operations of the State of Texas and our local communities; and

Whereas, We hereby petition our National Congress to do all within their power to eliminate the grave and wasteful expenses that have been brought to our attention in the Foreign Aid Program; now, therefore be it

Resolved, That we hereby do send a copy of this Resolution to the National Congress petitioning their attention to this matter.

The resolution was read and was adopted.

#### Bills and Resolution Signed

The President signed in the presence of the Senate after the captions had been read, the following enrolled resolution and bills:

S. C. R. No. 21, Authorizing Board of Regents of the University of Texas to construct certain equipment at McDonald Observatory at Mount Locke.

H. B. No. 30, A bill to be entitled "An Act concerning the re-employment of retired teachers receiving

benefits under the Teacher's Retirement System of Texas; and declaring an emergency."

H. B. No. 54, A bill to be entitled "An Act creating a Court of Domestic Relations in Nueces County, providing the qualifications and compensation of the judge; providing for the jurisdiction of said court; providing for the transfer of cases to and from said court; providing for said judge and the District Judges of said County sitting for each other in cases coming within their jurisdiction; providing for the filing of said cases in said court; providing for the services of certain county and district officers for said court; providing said court being a court of record, holding court in Nueces County, etc., and declaring an emergency."

H. B. No. 70, An Act amending Chapter 136, Acts of the Regular Session of the Fifty-fifth Legislature relating to the Hospital District covering the city of Amarillo; validating said District and the appointment of the Board of Hospital Managers; enacting other provisions related to the subject; and declaring an emergency.

H. B. No. 71, A bill to be entitled "An Act relating to the liability of the Association for compensation for occupational disease, amending Section 7 of Chapter 113, Acts of the Fiftieth Legislature, Regular Session, 1947, (codified as Section 25, Article 8306, of the Revised Civil Statutes of Texas, 1925), so as to extend the period of liability for an occupational disease caused by exposure to x-rays or radioactive substances; and declaring an emergency."

H. B. No. 44, A bill to be entitled "An Act to amend Section 6 of Article 3.39 of Chapter 3 of the Insurance Code (Acts of 1951, 52nd Legislature, as amended by the Acts of 1955, 54th Legislature, page 916, Chapter 363, Section 12) to regulate the investment of the funds of Life Insurance Companies in Building and Loan and Savings and Loan Associations; and declaring an emergency."

#### Message from the Governor

The following message received from Governor was read and was referred to the Committee on Finance:

March 12, 1959.

To the Members of the Fifty-sixth Legislature:

The 55th Legislature, by enacting the Water Planning Act of 1957, established the first statewide program for research and study leading to adequate planning and development of our water resources. More has been accomplished in this field at the State level during the past 18 months than ever before in the history of Texas. It is essential that this work be increased during the next biennium.

At the Statewide Water Committee meeting in Austin March 6, 1959, attended by more than 100 persons from every section of the State, it was unanimously agreed that because of the growing importance of this work, the full budget request of the State Board of Water Engineers should be enacted.

Copies of resolutions relating to this subject are attached. They are included as a part of this message.

Having had the benefit of this and other studies since submitting my budget to the Legislature, I herewith amend my Executive Budget recommendation to the extent of the full request of the Board of Water Engineers: \$1,736,833 for the first year of the biennium and \$1,751,245 for the second year. The revenue sources recommended in my budget message would adequately cover this increase.

Respectfully submitted,

PRICE DANIEL,  
Governor.

#### RESOLUTION ON WATER RESOURCES PLANNING

Whereas, Upon the recommendation of Governor Price Daniel at the First Called Session of the 55th Legislature there was enacted into law the Texas Water Planning Act of 1957; and

Whereas, Pursuant thereto the State Board of Water Engineers in January, 1959, submitted a progress report to the 56th Legislature entitled "Texas Water Resources Planning at the End of the Year 1958," in which it is made clear that comprehensive planning for the conservation and orderly development of the water resources of the State is necessary and indispensable to the continued growth and prosperity of Texas; and

Whereas, the United States Study Commission, created by Public Law 85-843, 85th Congress (1958), has

now organized and undertaken the duties imposed under such law to formulate a basic, comprehensive and integrated plan of development of the water resources of the Neches, Trinity, Brazos, Colorado, Guadalupe, San Antonio, Nueces and San Jacinto River Basins and intervening areas; and

Whereas, Congress in such Public Law 85-843 recognizes and respects the primary responsibility of the State of Texas and local interests in such State to plan for the development and use of water supplies for domestic, municipal, industrial, and other purposes; and

Whereas, The members of the U.S. Study Commission have expressed a desire for the State of Texas, acting through its Board of Water Engineers, to take the lead in collaborating and working with said Commission in the formulation of a comprehensive plan for the development of the water resources of the State; and

Whereas, The studies authorized to be made by the U.S. Study Commission do not include all water resources of the State of Texas but are limited to certain designated areas; and

Whereas, It is imperative that the State of Texas recognize its responsibility and assume leadership in planning for development of all its water resources, and actively participate and cooperate with the U.S. Study Commission; and this leadership can be provided by the State only if the Legislature makes the necessary appropriations to provide the Board of Water Engineers with personnel of qualifications and experience comparable to those employed by the Study Commission and like agencies; now, therefore, be it

Resolved, By the Governor's Statewide Water Committee assembled in Austin, Texas, on the 6th day of March, 1959, that the 56th Legislature now in session is hereby urged to make the appropriations to the State Board of Water Engineers as set forth in the Board's Budget Request, this being the minimum amount required for the State to discharge its obligations of leadership; and be it further

Resolved, That this Committee work with the Legislature and the Governor in behalf of these appropriations and to see that our State Water Planning Act and its administration furnish the leadership for water resources planning in Texas, so that the U.S.

Study Commission and other agencies will supplement rather than supplant the activities of the State of Texas.

### RESOLUTION COMMENDING BOARD OF WATER ENGINEERS

Whereas, The members of the State Board of Water Engineers and Colonel McDonald Weinert, deserve commendation for the creditable manner in which they have discharged their duties in a time span less than one year resulting in the compilation of two outstanding engineering reports embodying the results of extensive investigations, study, research and planning, one report being a cooperative undertaking between the Board of Water Engineers, State Soil Conservation Board, United States Bureau of Reclamation, Corps of Army Engineers and U. S. Soil Conservation Service; and the other report being one submitted by the Board of Water Engineers to the 56th Legislature as required by the Water Planning Act of 1957; and

Whereas, In addition to the other important administrative duties necessary to be performed, the Board of Water Engineers together with its Planning Division must continue and complete extensive planning of the water resources of Texas; now, therefore, be it

Resolved, By the Governor's Statewide Water Committee assembled in Austin, Texas, on the 6th day of March, 1959, that the Board of Water Engineers, the Planning Engineer and staff are hereby commended for the outstanding work accomplished in the field of water research and planning since the Fall of 1957; and be it further

Resolved, That the members of the Board of Water Engineers and the Planning Engineer be compensated on a basis commensurate with the importance of their services; therefore, be it further

Resolved, That the salaries of these officials be established as provided in the budget request of the Board of Water Engineers which is \$15,000 annually.

### Message from the House

Hall of the House of Representatives  
Austin, Texas,  
March 12, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 148, A bill to be entitled "An Act confirming the existence of the Constitutional Office of Criminal District Attorney of Hidalgo County, Texas, and insuring the continuance thereof; providing official bond; repealing any law in conflict to the extent of such conflict only; and declaring an emergency."

H. B. No. 280, A bill to be entitled "An Act providing that The San Antonio Loan & Trust Company, a corporation, shall be permitted to amend its charter for the purpose of adopting the provisions of the Texas Business Corporation Act without the purpose to conduct a fiduciary or depository business, to change its name to some other suitable name, and to transfer and assign the fiduciary and depository business authorized under its present charter and amendments thereto to a state bank to be formed under the provisions of the Texas Banking Act of 1943, to be named San Antonio Loan and Trust Company, and ratifying and confirming the fiduciary powers under its present charter in the fiduciary capacities to be transferred to the state bank to be created, without the necessity of any judicial action in the courts of Texas, or any action by the creators or beneficiaries of such fiduciary trusts or estates; providing that such amendment to the charter of the present corporation and the application for charter of the state bank shall be filed with the Secretary of State of Texas and the Banking Commissioner of Texas, respectively, before January 10, 1960; and providing that the present corporation may, by such amendment to its charter, adopt the provisions of the Texas Business Corporation Act to the extent that they are not inconsistent therewith."

H. B. No. 340, A bill to be entitled "An Act amending Section 84 of Chapter 27, Acts of the 42nd Legislature, Third Called Session, 1932, (Section 84 of Article 8263e, Vernon's Revised Civil Statutes of Texas), so as to authorize Navigation Districts coming within the scope of said Act to employ an independent certified public accountant or firm of independent certified public accountants for the purpose of making

a complete audit of the books and records of such District; and declaring an emergency."

H. B. No. 536, A bill to be entitled "An Act to amend Section 1, Chapter 323, Acts of the 54th Legislature, 1955, codified as Vernon's Texas Civil Statutes, Article 3737d-1 providing for the appointment of Court interpreters in certain Judicial Districts; providing for payment of salaries to such interpreters, and declaring an emergency."

H. B. No. 271, A bill to be entitled "An Act, ratifying, confirming and validating the designation of the boundary lines and the designation of the Dallam County underground water conservation District No. 1 north of Canadian River in Texas, dated December 22, 1950, and of the creation and establishment of the Dallam County underground water conservation District No. 1; prescribing the powers, functions and limitations of such District, including power to levy taxes and issue bonds: Providing the Act shall not be construed to affect any district or bond proceedings or bonds issued or to be issued in which there is pending litigation upon the effective date of the Act: Containing a savings clause; and declaring an emergency."

H. B. No. 339, A bill to be entitled "An Act amending Section 78 of Chapter 27, Acts of the 42nd Legislature, Third Called Session, 1932 (Section 78 of Article 8263e, Vernon's Revised Civil Statutes of Texas), so as to authorize navigation districts coming within the purview of this Act to own lands partly within and partly without or wholly within or wholly without the boundaries of any incorporated city, town or village and providing that such lands not included within the boundaries of any such city, town or village on the effective date of this Act or at the time of their acquisition by such District can only be owned by any such city, town or village with the consent of such District; and declaring an emergency."

H. B. No. 377, A bill to be entitled "An Act validating the acts of county board of school trustees in ordering elections for the consolidation of certain Independent School Districts; validating all elections held in such independent districts, pursuant to the

above mentioned Acts, which authorize maintenance taxes, debt assumption and new construction bonds; providing that this Act shall not apply to any districts involved in litigation questioning such changes or elections, taxes, debt assumption or new construction bonds; and declaring an emergency."

H. B. No. 416, A bill to be entitled "An Act validating, ratifying and confirming the organization of Bell County Water Control and Improvement District No. 5, in Bell County, Texas, and of certain acts of its Board of Directors; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

#### Motion to Place

#### House Bill 151 on Second Reading

Senator Moffett moved that Senate Rules 116 and 13, and Section 5 of Article III of the State Constitution be suspended and that H. B. No. 151 be taken up for consideration at this time.

The motion was lost by the following vote: (Not receiving four-fifths vote of the Members of the Senate.)

#### Yeas—16

Bradshaw	Moffett
Colson	Owen
Crump	Parkhouse
Dies	Ratliff
Gonzalez	Reagan
Herring	Rogers
Krueger	Secrest
Lane	Smith

#### Nays—11

Aikin	Martin
Baker	Moore
Fly	Phillips
Hardeman	Roberts
Hudson	Willis
Kazen	

#### Absent

Fuller	Wood
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#### Absent—Excused

Hazlewood	Weinert
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#### Motion to Place

#### House Bill 78 on Second Reading

Senator Krueger moved that Senate Rules 116 and 13 and Section 5

of Article III of the State Constitution be suspended and that H. B. No. 78 be taken up for consideration at this time.

The motion was lost by the following vote:

## Yeas—11

Colson	Ratliff
Herring	Rogers
Hudson	Secrest
Krueger	Smith
Moffett	Wood
Moore	

## Nays—16

Aikin	Lane
Baker	Martin
Bradshaw	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Reagan
Hardeman	Roberts
Kazen	Willis

## Absent

Fuller	Gonzalez
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## Absent—Excused

Hazlewood	Weinert
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## Report of Standing Committee

Senator Aikin by unanimous consent submitted the following report:

Austin, Texas,  
March 12, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 133, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and not be printed.

AIKIN, Chairman.

Motion to Place  
House Bill 94 on Second Reading

Senator Hudson moved that Senate Rules 116 and 13, and Section 5 of Article III of the State Constitution be suspended and that H. B. No. 94 be taken up for consideration at this time.

The motion was lost by the following vote (not receiving four-fifths vote of the Members of the Senate):

## Yeas—24

Aikin	Martin
Bradshaw	Moffett
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Hardeman	Reagan
Herring	Roberts
Hudson	Rogers
Kazen	Secrest
Krueger	Smith
Lane	Wood

## Nays—2

Baker	Willis
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## Absent

Fuller	Moore
Gonzalez	

## Absent—Excused

Hazlewood	Weinert
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## Message from the House

Hall of the House of Representatives,  
Austin, Texas,  
March 12, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 30, Memorializing the death of Bobby James of Ruston, Louisiana, etc.

H. B. No. 591, An Act applicable to any two (2) adjacent counties each having a population of three hundred fifty thousand (350,000) or more according to the last preceding Federal Census; providing for the appointment of a Joint Board of Park Commissioners; setting forth their duties and powers; etc.; and declaring an emergency.

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

## House Bills on First Reading

The following bills received from the House, were read the first time and referred to the committees indicated:

H. B. No. 145, to Committee on Jurisprudence.



H. B. No. 195, to Committee on Education.

H. B. No. 194, to Committee on Jurisprudence.

H. B. No. 536, to Committee on Jurisprudence.

H. B. No. 416, to Committee on Water and Conservation.

H. B. No. 377, to Committee on State Affairs.

H. B. No. 340, to Committee on Water and Conservation.

H. B. No. 339, to Committee on State Affairs.

H. B. No. 280, to Committee on Jurisprudence.

H. B. No. 271, to Committee on Water and Conservation.

H. B. No. 148, to Committee on Jurisprudence.

H. B. No. 591, to Committee on State Affairs.

Senate Bill 133 Ordered Not Printed

On motion of Senator Owen and by unanimous consent S. B. No. 133 was ordered not printed.

#### Adjournment

On motion of Senator Hardeman the Senate at 12:06 o'clock p.m. adjourned until 10:30 o'clock a.m. on Monday, March 16, 1959.

#### Record of Votes

Senators Phillips, Herring and Krueger asked to be recorded as voting "Nay" on the motion to adjourn.

#### THIRTY-FOURTH DAY

(Monday, March 16, 1959)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Fly
Baker	Fuller
Bradshaw	Gonzalez
Colson	Hardeman
Crump	Hazlewood
Dies	Herring

Hudson	Reagan
Krueger	Roberts
Lane	Rogers
Martin	Secrest
Moffett	Smith
Owen	Weinert
Parkhouse	Willis
Phillips	Wood
Ratliff	

Absent—Excused

Kazen	Moore
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A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

O Lord, when we would do good evil is present with us, and we wrestle, not against flesh and blood, but the powers of spiritual darkness. Teach us to put on the whole armor of light, that we may withstand the wiles of the wicked one. We pray in Christ's name. Amen.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, March 12th, was dispensed with and the Journal was approved.

#### Leaves of Absence

Senator Moore was granted leave of absence for today on account of important business on motion of Senator Secrest.

Senator Kazen was granted leave of absence for today on account of important business on motion of Senator Crump.

#### Message from the House

Hall of the House of Representatives,  
Austin, Texas,  
March 16, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 198, An Act to provide for election of members of the State Board of Education from Congressional districts as now or hereafter created; providing for election of members from Congressional districts as now organized at the General Election in 1960 and succeeding General Elections until the next Congressional Redistricting Act; preserving terms of members heretofore elected from